

**State of New Jersey  
Office of Administrative Law - NEWARK**

33 Washington Street  
Newark NJ 07102  
(973) 648-7145

**RECEIVED**

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**EDS**

STATE OF NEW JERSEY  
OFFICE OF ADMIN. LAW

**FROM**

Department of Education

Office of Special Education Policy and Procedure

**NAME OF AGENCY**

P.O. Box 500, Trenton, NJ 08646

**ADDRESS**

Dominic Rota

**TRANSMITTI**

**10706-17**

(609) 984-1286

**TELEPHONE**

\*\*\*\*\*

\* OAL OFFICAL USE

\* COUNTY

Morris  
N

\* N/S

\*\*\*\*\*

**THE FOLLOWING ADDITIONAL INFORMATION  
REQUIRED:**

1. Nature of the case: Please include references to statutes or rules and briefly summarize the facts and law involved. Attach pleading to this form.
2. Estimated time required for hearing
3. Legal requirements (State or Federal) mandating a date for Agency Decision
4. Is a court stenographer requested?
5. Special Features to be anticipated in this matter i.e., emergent relief, discovery motions, prehearing conference, conference hearing, remand, expedited hearings, location (county)
6. Has the agency conducted a settlement conference?
7. Is a barrier-free location needed?
8. Have the attached documents been exchanged between the parties?
9. Names of other agencies claiming jurisdiction over transmitted dispute.
10. Names and addresses of all parties and their representatives (other than witnesses) to full Extent known:

F.H. and M.H. o/b/o J.H. Vs. West Morris  
Regional High Board of Education

**Name of Contested or Short Title**

2017 26311

**Agency Docket / Reference Number**

On behalf of minor student, Petitioners seek classification as OHI; development of an IEP; out-of-district placement with transportation; continued home instruction; independent evaluations; compensatory education and reimbursement.

1 Days or 0 Hours

X Yes    No; If yes, please specify Requirements and citation: NJAC 6A:14-2.7 (j) 4

Special Education Hearing; 45 day completion

   Yes X No

X Yes    No; if yes, date 7/27/2017

   Yes    No X Uncertain

X Yes    No; if no, the documents shall be served on or offered to the parties on   

None

See attached list of parties

**Hearing Request Date:**

**Fed. Days Expended:**

**Call Date:**

5/30/17  
0  
7/28/17

Transmitting officer or other agency personnel to receive notices of hearing etc. pursuant to N.J.A.C. 1.1-8.2(a)  
13. This person need not be served by the parties with motions, correspondence etc.

**Coordinator of Due Process**  
Office of Special Education Policy and Procedure  
100 Riverview Plaza, P.O. Box 500  
Trenton, NJ 08625  
Telephone: (609) 984-1286

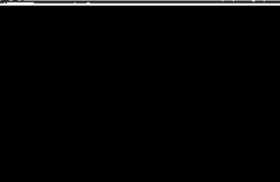
### **Service List**

#### **Parties Named in this Proceeding and their Representatives**

For additional parties, attach names, addresses and telephone numbers of each party linked with that representative if any

**2017-26311** F.H. and M.H. o/b/o J.H. Vs. West Morris Regional High Board of Education

1.



TELEPHONE:

#### **Representative of 1**

**Julie Warshaw**

Warshaw Law Firm, LLC

266 King George Road

Suite C2

Warren

NJ 07059

TELEPHONE: (973) 433- 2121

1.

**Michael Ben-David, Superintendent**

West Morris Regional High B. Of B.Ed

10 SOUTH FOUR BRIDGES ROAD

CHESTER, NJ 07930

TELEPHONE: (908) 879- 9640

#### **Representative of 2**

**Jodi Howlett**

Cleary, Giacobbe, Alfieri & Jacobs, LLC

5 Ravine Drive

Matawan NJ 07747

TELEPHONE: (732) 583- 7474

3.

**David Leigh, Director of Special Education**

Administration Building

Four Bridges Road

Chester, NJ 07930

TELEPHONE: (908) 879- 6404

#### **Representative of 3**

**SAME AS ABOVE**

4.



TELEPHONE:

#### **Representative of 4**

TELEPHONE:

New Jersey State Department of Education  
Office of Special Education Policy and Procedure

## Case Information

County: Morris

Agency: 2017-26311

Case Name: F.H. and M.H. o/b/o J.H. Vs. West Morris Regional High Board of Education

Date Received OSEP: 5/30/2017

### OAL Scheduling Information:

Hearing Date: 8/10/2017

Hearing Time: 9:00 am

Mediator: Dominic Rota

OAL Contact: Daniella Cerisola

Location: Office of Administrative Law-Newark

Dispute Issues: On behalf of minor student, Petitioners seek classification as ~~OH~~OHI; development of an IEP; out-of-district placement with transportation; continued home instruction; independent evaluations; compensatory education and reimbursement.

Student's Name: Jenna Humcke

Eligibility:

Birthday: 3-JAN-2001

Interpreter Needed For:

Notes to ALJ:

Petitioners want mediation. District updated 6/6/17. Parties agree to adjourn until 7/27/17. Zero federal days used.

\* other Health Impairment



*State of New Jersey*

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

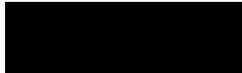
CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

KIMBERLEY HARRINGTON  
*Commissioner*

July 28, 2017

To:



From: Dominic Rota  
Office of Special Education Policy and Procedure

Subject: **Notice of Due Process Hearing Transmittal  
To the Office of Administrative Law**

Case Name: F.H. and M.H. o/b/o J.H. Vs. West Morris Regional High Board of Education  
Agency Reference: **2017- 26311**

Please be advised that the above referenced matter has been transmitted to the Office of Administrative Law (OAL). A hearing before an Administrative Law Judge has been scheduled for:

Date: 8/10/2017

Time: 9:00 am

Location: Office of Administrative Law-Newark  
33 Washington Street  
Newark NJ 07102-  
(973) 648-7136

Judge: Giordano Robert J.( Newark )

**Nature of Proceeding:**

On behalf of minor student, Petitioners seek classification as OHI; development of an IEP; out-of-district placement with transportation; continued home instruction; independent evaluations; compensatory education and reimbursement.

**PLEASE TAKE NOTE OF THE FOLLOWING IMPORTANT INFORMATION:**

1) You have the right to be represented by an attorney or by an individual with special knowledge and training regarding handicapped children. Parents and guardians should have received information concerning legal assistance. If you still need this information, call the Office of Special Education Policy and Procedure at (609) 984-1286.

2) Parents and Guardians have a right to examine relevant school records relating to their child. If you have not seen those records, contact the Board of Education immediately.

3) All evidence including documents and summaries of expected testimony that either party intends to use at the hearing must be disclosed to the other party at least 5 days before the hearing. If you do not comply with this requirement, you may be prevented from presenting the evidence at the hearing.

4) A judge will decide the case based only on what is presented at the hearing. If you would like the judge to consider any papers, you must have them at the hearing. If you want any witnesses to testify, you must arrange for their attendance at the hearing. If you are not sure that they will attend the hearing, you should serve them with a subpoena and the appropriate fee. This should occur within a reasonable time before the hearing, and if possible, at least three days before the hearing.

5) Legal briefs and other memoranda or argument cannot be submitted after the hearing. You should be prepared to offer these submissions at the hearing with the final argument.

6) If you do not attend the hearing, the judge may dismiss your case or order that an action requested by the other side be granted.

7) The procedure for this hearing is fully set out in the Uniform Administrative Procedure rules N.J.A.C. 1:6A-1.1 et seq. and N.J.A.C. 1:1-1 et seq.

c: Dr. David Leigh  
Michael Ben-David  
Jodi S. Howlett  
Julie Warshaw